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PATENT
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#4
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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicants: Frick et al.

Serial No.: 09/905,736

Filed: 13 July 2001

For: Optical Switch with Moveable
Holographic Optical Element

Group Art Unit: 2872

Examiner: To be assigned

) I hereby certify that this paper is being
) deposited with the United States Postal
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) Commissioner for Patents, Washington, D.C.
) 20231 on this date:

) March 15, 2002

) 

) Paul B. Stephens

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with 37 C.F.R. §1.97 and the continuing duty of disclosure under 37 C.F.R. §1.56, the attached PTO-1449 form and a copy of the documents cited therein are hereby submitted by the applicants for consideration in connection with the above-identified patent application. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Pursuant to their duty of disclosure, the applicants have cited a large number of documents in the attached form PTO-1449. While applicants note that they are under no duty to put the cited documents into any hierarchy or particularly identify certain documents as being more relevant than others, given the large number of documents cited, applicants have chosen to identify six as potentially of particular relevance. Those documents are labeled A44, A51, A59, C2, C3, and C4. Of course, the applicants respectfully request full consideration of all documents cited on the accompanying PTO-1449 form.

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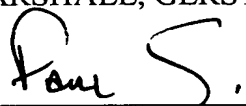
Nothing in this statement should be construed as indicating that the applicants view these six documents as being more relevant to the claimed subject matter than other documents. The identification is provided merely for the convenience of the examiner.

This statement and PTO-1449 form are submitted, to the applicants knowledge, before the mailing of a first office action on the merits in the above-identified patent application. Accordingly, it is submitted that no fee is due in this matter under 37 C.F.R. §1.97(b). However if it is determined that any appropriate fee is due, please charge deposition account no. 13-2855. A duplicate of this paper is enclosed.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

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March 15, 2002